

September 22, 2010

**Via Electronic Submission**

Ms. Marlene H. Dortch, Secretary  
Federal Communications Commission  
445 12th Street, SW, Room TW-A325  
Washington, DC 20554

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**Re: Notice of Ex Parte Communication**

**WT Docket No. 02-55; ET Docket Nos. 00-258, 95-18;  
New DBSD Satellite Services G.P., Debtor-in-Possession, Applications for  
Transfer of Control of Earth Station Licenses and Authorizations, File  
Nos. SES-T/C-20091211-01575, SES-T/C-20091211-1576, SAT-T/C-  
0091211-00144.**

Dear Ms. Dortch:

On Tuesday, September 21, 2010, Trey Hanbury of Sprint Nextel Corporation (“Sprint Nextel”), Marc S. Martin and Thomas F. Cooney III of K&L Gates LLP, and Regina M. Keeney of Lawler, Metzger, Keeney & Logan, LLC met with John Giusti, Chief of Staff and Legal Advisor to Commissioner Michael J. Copps of the Federal Communications Commission (“Commission”), regarding the above-captioned proceedings.

Relying on documents in the record, Professor Cooney<sup>1</sup> summarized his analysis of the 2005 debt financing by DSBD North America, Inc. (with its debtor-affiliates, “DBSD”) (the “2005 Transaction”), which has been characterized by its parent company, ICO Global Communications (Holdings) Limited (“ICO Global”), as an event that transformed ICO Global from being in control of and directly involved in the operations of DBSD before the 2005 Transaction to being reduced to a passive investor role afterwards.<sup>2</sup> Professor Cooney

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<sup>1</sup> Mr. Cooney has practiced corporate M&A and securities law for three decades and has been an adjunct professor of law at George Washington University Law School on the subjects of business planning and corporations for the last 22 years.

<sup>2</sup> See ICO Global Notice of *Ex Parte* Presentations, WT Docket No. 02-55, ET Docket Nos. 00-258, 95-18; New DBSD Satellite Services G.P., Debtor-in-Possession, Applications for Transfer of Control of Earth Station Licenses and Authorizations, File Nos. SAT-T/C-0091211-00144, *et al.* (filed Sept. 3, 2010 and Sept. 14).

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explained how nothing in the 2005 Transaction documents submitted by ICO Global legally or factually support its interpretation of the 2005 Transaction, and if anything, the documents provide clear evidence of ICO Global's continued and uninterrupted control of and direct involvement in the MSS system operations after the 2005 Transaction. Professor Cooney concluded that regardless of how many red herrings ICO Global may raise, the reality is that the 2005 Transaction was not the transformative event ICO Global claims it was and has no bearing on the key issue before the Commission: ICO Global's accountability under the Commission's rules and policies.

Pursuant to Section 1.1206 of the Commission's Rules, a copy of this letter is being filed electronically in the above-referenced dockets and electronic copies are being submitted to Commission staff listed below. If you have any questions, please feel free to contact me at (202) 778-9859.

Sincerely,

/s/ Marc S. Martin

Marc S. Martin

Counsel for Sprint Nextel Corporation

cc: Austin Schlick  
Stewart Block  
David Horowitz  
Andrea Kearney  
Sally Stone  
Julie Veach  
Gardner Foster  
Karl Kensinger  
Geraldine Matise  
Jamison Prime  
Nick Oros  
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Robert Nelson  
Julius Knapp  
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Paul Murray  
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